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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,879	09/10/2003	David Matthew Oles	IGT1P496D1/P-276 DIV	6926

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EXAMINER	
RENDON, CHRISTIAN E	

ART UNIT	PAPER NUMBER
3714	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/660,879	OLES ET AL.	
	Examiner	Art Unit	
	CHRISTIAN E. RENDÓN	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 June 2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-12 and 17-28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-12 and 17-28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

This office action is in response to the amendment filed 6/26/08 in which applicant amended claims 1, 11, 21, 24-26; responded to the claim rejections. Claims 1-12 and 17-21 are still pending.

Claim Rejections - 35 USC § 103

Claims 1-12 & 17-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over DeBan (US 5,386,103) in view of Artino et al. (US 6,328,208 B1).

1. Regarding claim 1, 3-4, 10 and 24-25, DeBan presents an invention that provides an improved customer identification and verification system (DeBan: col. 1, lines 42-43) for systems of cashing documents (DeBan: col. 1, lines 6-7). The system includes a customer ID card or "smart card" for storing a person's universal face space (UFS), which is a mathematical representation (DeBan: col. 6, lines 40-44) of a person's facial characteristics (DeBan: col. 4, lines 40-41). These values are stored on the person's customer ID card or "smart card" (DeBan: col. 9, lines 59-65) and when the person swipes the card in the magnetic card reader (DeBan: fig. 2, 32) a verification process begins that will confirm a person's identity. A comparison is made between the card's values and the values generated from a current image of the person that is obtained from the camera (DeBan: fig. 1, 36) that is inside the front of an automated teller machine (ATM) (DeBan: col. 7, lines 1-5). When a match is calculated the verification process is completed and the user is authorized or allowed to make cash transactions (DeBan: col. 1, line 54).

2. DeBan is silent about the use of this identification and verification system in a gaming machine. However, DeBan further explains that this system "can be applied to securities system, for example, or any system which so requires a personal identification" (DeBan: col. 10, lines 33-36).

Although an ATM is not a gaming machine, both of them dispense objects of value therefore both of them require security measures to insure the well being of the user and the integrity of the machine.

3. Furthermore DeBan fails to disclose an internal camera system for photographing the interior of the ATM. Artino discloses a secure depository system for banking machines (Artino: col. 1, lines 8-11). In other words, a system for accepting cash and checks in a secure manner has been invented for an ATM. A user begins the process by swiping their ATM or smart card (Artino: col. 21, line 3) and verifying their identity through a PIN number (Artino: col. 13, lines 20-22). An exterior camera, which is always operating films a person approaching and using the ATM (Artino: col. 3, lines 40-41). The system contains an interior camera for capturing images of the items that are deposited into the ATM (Artino: col. 12, lines 31-36). The system contains a frame splitter that records images from both cameras simultaneously in a single image frame (Artino: col. 7, lines 16-20), hence the system records a single image of the user and the item that was deposited during the interaction (Artino: col. 12, lines 60-63) with the ATM. In other words, the Artino teaches a camera in communication with a coin depositor or peripheral of a machine. Once the image is complete, it is sent either to the user's ATM or smart card (Artino: col. 21, lines 1-3) or an image server (Artino: fig. 16, 204) through a local or wide area network (Artino: col. 22, lines 17, 35-39). Furthermore, the art suggests using the photographed images to resolve issues concerning the loss of money or the misuse of the machine (Artino: col. 20, lines 44-49). In other words, a person attempting to steal money by 'fishing' for items out of the depository (Artino: col. 1, lines 40-42) will trigger either the seismic sensor (Artino: col. 7, line 35) or the door sensor (Artino: col. 7, lines 44-45) allowing the ATM to identity the person attempting to unlawfully access the interior of the machine.

4. At the time of the applicant's invention it would have been obvious to one of ordinary skill in the art to combine the security features of the ATM disclosed by DeBan and Artino in order to create a more secure machine. Artino expresses a desire to fulfill the need to create a secure depository

system that accepts deposits from only authorized users (Artino: col. 1, lines 8-11). Therefore eliminating the chance that a person, who does not want to be identified, from placing destructive materials or "fishing" in the depository (Artino: col. 1, lines 41-44). Since the possibility of stolen PIN numbers is a reality, a thief can circumvent the identification and verification method of the ATM disclosed by Artino. Therefore one of ordinary skill would surmise that the facial recognition system disclosed by DeBan would provide a strong method of security for the ATM and would combine the two inventions. These security concerns are also relevant in a gaming machine as a means to prevent and capture would be criminals who try to use a stolen casino card (just like the stolen PIN number scenario) or tamper with the device through the token slot acceptor/dispenser.

5. Regarding claim 2, Artino discloses a system that records an image from an exterior and interior camera and combines the single frame of each image into a composite image (Artino: col. 7, lines 16-20). The visual record depicts the user and an item deposited (Artino: col. 2, lines 35-36), which are stored on a server for future reference (Artino: col. 22, lines 17, 35-39). Artino expresses a desire to prevent damage occurring to the ATM by an unauthorized user through the use of a lock and decorative door cover on the depository door as a deterrent towards tampering (Artino: col. 13, lines 9-14). Additionally, Artino discloses seismic sensors for detecting an attack on the ATM (Artino: col. 7, lines 35-37) and sensors on the control panel that activate alarm devices when the panel is opened without permission (Artino: col. 8, lines 35, 38-40, 49), as security measures. Furthermore, the ATM processor captures images in response to user input (Artino: col. 17, lines 51-53) and sensor signals are considered a type of user input. Even though Artino is silent about recording an image when criminal activity actually occurs to the ATM, it would have been obvious implementation to one of ordinary skill. The prior art reveals a desire to protect the ATM (Artino: col. 13, lines 9-14; col. 7, lines 35-37) thus recording the person who is damaging or forcing an item into the ATM (Artino: col. 1, lines 40-42) and then send the image to the server is a logical course of action. Hence

the owners of the ATM can provide hard evidence (Artino: col. 26, lines 8-10 and 15-18) to the police that will speedup an investigation that can lead to an arrest.

6. Regarding claims 7-8, through the system disclosed by DeBan a customer must first approach the human teller station (fig. 1, 14) to open a new account. Therefore the human teller station is located in remote location relative to the ATM. At the station, a digital camera photographs the customer's face (col. 6, lines 28-33). Since the native format of the first facial image is digital, the system immediately begins calculating the customer's UFS (col. 6, lines 33-44). This process calculates the projection vectors coefficients, which represents the image and are the values saved on the magnetic strip of a card (col. 6, lines 44-46).

7. Regarding claims 5-6 and 9, DeBan discloses an ATM using a high-resolution camera to record the current facial image of the customer. One of ordinary skill in the art would easily recognize that DeBan discloses the use of either a digital or analog camera for capturing an image. Therefore the type of camera is a choice left up to the owner of the ATM system to make based on their specific needs. One of ordinary skill would also recognize that the option of an analog camera would require the use of an analog to digital converter since DeBan discloses that the data on the ATM card is recorded digitally (col. 6, lines 44-46).

8. Regarding claims 17-18 and 21-23, the above description of the art combination disclosed by the DeBan and Artino and the limitations they pertain is considered within this art rejection as well. The ATM processor captures images in response to user input (Artino: col. 17, lines 51-53) as called trigger events. The interaction between the customer and the ATM begins with the swiping of their ATM card in the magnetic strip reader (DeBan: fig 1, 32), therefore an ATM card can cause a triggering event or verification process to occur through the card reader, which is a peripheral of the machine in an attempt to create a visual record of the transaction (Artino: col. 17, lines 50-51). Artino discloses a couple of security measures to prevent crime and stop crime through the use of locks

(Artino: col. 13, lines 12-13) sensors (Artino: col. 7, lines 35-37) and alarms (Artino: col. 8, lines 35, 38-40, 49). The prior art states the alarms are used to indicate events that have occurred with the operation of the ATM or any alarm condition (Artino: col. 26, lines 15-18). Thus the art combination of DeBan and Artino would generate an alarm condition as an indication of an event (Artino: col. 26, lines 15-18) when the ATM is unable to obtain an image since the operation of depository could either be damaged (Artino: col. 26, lines 15-18) or tampered (Artino: col. 13, line 13).

9. Regarding claims 11-12 and 26-27, the art combination of DeBan and Artino discloses the claimed invention expect for the extra cameras located inside and outside the machine. It would have been obvious to one having ordinary skill in the art at the time the invention was made to include an extra camera to film a wider field of vision, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. It is a matter of common sense to include an extra camera in the interior of a machine to film different parts that are far apart. The realization of an extra camera filming the exterior of the machine to allow different angles to be recorded is also a matter of common sense.

10. Regarding claims 19-20, it is well known in the art of gaming for a triggering event to occur during the operation of a game. DeBan and Artino are silent about the use of this identification and verification system in a gaming machine. However, DeBan further explains that this system “can be applied to securities system, for example, or any system which so requires a personal identification” (col. 10, lines 33-36). Although an ATM is not a gaming machine, both of them dispense objects of value therefore both of them require security measures to insure the well being of the user and the integrity of the machine. Therefore when the system disclosed by DeBan is applied to a gaming machine a processor or gaming controller would control the camera and would be in communication with other peripherals.

11. Regarding claim 28, the above description of the art combination disclosed by the DeBan and Artino and the limitations they pertain is considered within this art rejection as well. The prior art teaches capturing images based on trigger events (Artino: col. 17, lines 51-53) and in a periodical or continuous matter based on program instructions (Artino: col. 17, lines 53-55) thus teaching submitting a user to multiple facial identification processes. DeBan and Artino both discloses a trigger event caused by a customer swiping their ATM card in the reader. The event in the system disclosed by Artino is asking a user to verify their identity by entering a PIN number (Artino: fig. 17A, 134-136). The DeBan system identifies a person by capturing a current facial image and comparing it to the image stored on the ATM card. Therefore both prior arts teach a process of user identification and verification before granting accessing to a user's account. Furthermore, Artino includes a second triggering event caused by the user depositing an item into the ATM (Artino: col. 7, lines 16-20). During the second event, both cameras capture an image of the user and the deposited item simultaneously. Therefore the art combination of DeBan and Artino discloses two triggering events, an initial verification accomplished through their PIN number or face recognition software (DeBan: col. 7, lines 1-5) and a second event capturing an image of a person using the ATM (Artino: col. 17, lines 53-55). Therefore, these limitations are within the scope of the art combination and are implemented to insure the authorized user is still using the ATM. Furthermore, Artino discloses printing transaction receipts with customer identifying data (Artino: col. 17, lines 10-14). It is will known in the art that a person's image is a form of identifying data that has been used in the past by financial institutions, for example some banks offer printing the person's image on bank checks as a form of identification (DeBan: col. 6, lines 47-48).

Response to Arguments

12. Applicant's arguments filed 6/26/08 have been fully considered but they are not persuasive. Artino describes creating a visual record of the transaction by capturing images periodically or

continuously (Artino: col. 17, lines 50-54) therefore the system is able to capture an image of a person accessing the depository or interior of the ATM during a transaction. Additionally, the system is able to capture images of a person tampering with the ATM through shaking (Artino: col. 7, line 35) or 'fishing' for items out of the depository (Artino: col. 1, lines 40-42). Both scenarios are considered activities associated with accessing the interior of the machine. As stated above, DeBan teaches implementing the disclosed security features in any system that requires a personal identification (DeBan: col. 10, lines 33-36) before granting access to a transaction that involves cashing documents (DeBan: col. 1, lines 43-45) like cash, casino money, anything of value, etc. Therefore DeBan teaches the applicant's second verification process during a payout and every other triggering event that involves providing money to a user; thus requiring the verification of the user. Furthermore as stated above Artino teaches programming the system to capture an image of a user continuously during a transaction (Artino: col. 17, lines 54-55) therefore also teaching the collection of multiple images for identification purposes.

Examiner's Note

Applicant is duly reminded that a complete response must satisfy the requirements of 37 C.F. R. 1.111, including: "The reply must present arguments pointing out the specific distinctions believed to render the claims, including any newly presented claims, patentable over any applied references. A general allegation that the claims "define a patentable invention" without specifically pointing out how the language of the claims is patentably distinguishes them from the references does not comply with the requirements of this section. Moreover, "The prompt development of a clear Issue requires that the replies of the applicant meet the objections to and rejections of the claims." Applicant should also specifically point out the support for any amendments made to the disclosure. See MPEP 2163.06 II(A), MPEP 2163.06 and MPEP 714.02. The "disclosure" includes the claims, the specification and the drawings.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTIAN E. RENDÓN whose telephone number is (571)272-3117. The examiner can normally be reached on 9 - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on 571-272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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